

COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON GOVERNMENT MANAGEMENT, FINANCE AND ACCOUNTABILITY



OPENING STATEMENT OF
CHAIRMAN TODD RUSSELL PLATTS
MAY 11, 2005

The information age has given us unprecedented capabilities to disseminate and collect information. With the worldwide deployment of the Internet, information is available from around the globe 24 hours a day, seven days a week. It has changed the way citizens get information from their government and how government serves its citizens. At the same time, technological advances subject us to new threats, both to our security and our right to privacy. One could argue that effective information policy in government has never been more important than it is today – and that the balancing act has never been more difficult.

The Freedom of Information Act (FOIA) was signed into law almost 40 years ago, in 1966. Enacted after 11 years of debate, FOIA established a statutory right of public access to executive branch information. FOIA provides that any person has a right to obtain Federal agency records. Originally, the Act included nine categories of information protected from disclosure, and Congress has added additional exemptions over time.

Recent legislative proposals would make significant changes to those exemptions and create new deadlines for agency compliance. As Congress considers changing FOIA, it is important to understand the underlying intent of the Act and how recent changes in technology and national security have affected FOIA implementation. Balancing the need for open government with the need to protect information vital to national security and personal privacy is a constant struggle. Federal departments and agencies are operating in the post 9/11 information age and face 21st century security, information management, and resource challenges.

This hearing will give the Subcommittee members an opportunity to hear from the Department of Justice, the agency responsible for providing FOIA guidance government-wide, and the National Archives and Records Administration, which faces the huge task of electronically archiving millions of government documents. Witnesses from these agencies will testify on their experience implementing FOIA. The Subcommittee will also hear from FOIA requestors to understand the opportunities to improve the process for obtaining information.

We have two panels of distinguished witnesses. Our first panel includes the Honorable Allen Weinstein, Archivist of the United States from the National Archives and Records Administration, and Mr. Carl Nichols, Deputy Assistant Attorney General at the Department of Justice's Civil Division, Federal Programs Branch. These executive branch witnesses will be joined by Ms. Linda Koontz, the Director of Information Management for the Government Accountability Office.

Our second panel will include Mr. Jay Smith, Chairman of the Newspaper Association of America and President of Cox Newspapers, Inc., Mr. Ari Schwartz, Associate Director of the Center for Democracy and Technology, and Mr. Mark Tapscott, Director of the Center for Media and Public Policy at the Heritage Foundation. Thank you for being here today. I look forward to your testimonies.